

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SIMON LEGER,

Plaintiff,

-against-

NAVILA ASSET MANAGEMENT INC and
MIZANUR RAHMAN,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Levy's Report and Recommendation (R&R) dated January 25, 2022. ECF No. 13. Judge Levy recommends that this Court (1) grant Plaintiff's motion and enter a judgment of foreclosure and sale in the amount of \$477,500, plus interest and fees; (2) direct Plaintiff to submit new interest calculations from March 1, 2020 to the present, as well as documentation of his fees and costs; and (3) direct Plaintiff to submit the names of three proposed referees, and appoint a referee to sell the mortgaged property at auction to the highest bidder, in accordance with N.Y. R.P.A.P.L. Article 13. Neither party has filed objections, and the time to do so has expired. Accordingly, the Court reviews Judge Levy's recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b);

MEMORANDUM & ORDER
20-cv-3820 (EK) (RML)

accord State Farm Mut. Auto. Ins. Co. v. Grafman, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no error and therefore adopt the R&R in its entirety. Thus, I grant Plaintiff's motion and enter a judgment of foreclosure and sale in the amount of \$477,500, plus interest and fees. I will also appoint a referee to sell the mortgaged property. No later than April 7, 2022, Plaintiff shall submit a new interest calculation from March 1, 2020 to the date of Plaintiff's submission, an itemization (with documentation) of his fees and costs, and the names of three proposed referees.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: March 8, 2022
Brooklyn, New York